

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Phil Tompkins, et al., derivatively on behalf  
of K-V Pharmaceutical Company,

*Plaintiffs,*

vs.

GREGORY J. DIVIS, JR., et al.,

*Defendants.*

Case No. 4:11-cv-01982-JAR

**SUGGESTION OF BANKRUPTCY**

**PLEASE TAKE NOTICE** that on August 4, 2012 (the “Petition Date”), K-V Pharmaceutical Company, the nominal defendant (“Nominal Defendant”) in the above-captioned case filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York, Case No. 12-13347 (ALG), and jointly administered under In re K-V Discovery Solutions, Inc., et al., Case No. 12-13346 (ALG).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to 11 U.S.C. § 362, inter alia, the commencement or continuation of a judicial, administrative or other action or proceeding against Nominal Defendant that was or could have been commenced before the Petition Date, including this action, is stayed as of the Petition Date.

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Dated: August 8, 2012

Respectfully Submitted,

/s/ Robert P. Berry  
BERRY & MAXSON, LLC  
Robert P. Berry, # 46236MO  
16150 Main Circle Drive, Suite 120  
St. Louis, Missouri 63017  
Telephone: (314) 480-5882  
Facsimile: (314) 480-5884  
rberry@berrymaxson.com

GIBSON, DUNN & CRUTCHER LLP  
F. Joseph Warin,  
*pro hac vice*  
Jason Morrow,  
*pro hac vice*  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5306  
Telephone: (202) 887-3609  
Facsimile: (202) 530-9608

*Counsel to K-V Pharmaceutical Company*

CERTIFICATE OF SERVICE

This is to certify that I have, this 8th day of August, 2012, electronically filed a copy of the foregoing with the Clerk of Court to be served by operation of the Court's electronic filing system upon the parties of record.

/s/ Robert P. Berry